
HOUSE BILL 1940

State of Washington 54th Legislature 1995 Regular Session

By Representatives Lisk and Honeyford

Read first time 02/15/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to selling of wine with a club's private label to
2 members for consumption off the club premises; and amending RCW
3 66.24.370 and 66.24.450.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 66.24.370 and 1992 c 42 s 1 are each amended to read
6 as follows:

7 (1) There shall be a wine retailer's license to be designated as
8 class F license to sell, subject to subsection (2) of this section,
9 table and fortified wine in bottles and original packages, not to be
10 consumed on the premises where sold, at any store other than the state
11 liquor stores: PROVIDED, Such licensee shall pay to the state liquor
12 stores for wines purchased from such stores the current retail price;
13 fee seventy-five dollars per annum: PROVIDED, FURTHER, That a holder
14 of a class A or class B license shall be entitled to the privileges
15 permitted in this section by paying an annual fee of twenty-five
16 dollars for each store.

17 (2) The board shall issue a restricted class F license, authorizing
18 the licensee to sell only table wine, if the board finds upon issuance
19 or renewal of the license that the sale of fortified wine would be

1 against the public interest. In determining the public interest, the
2 board shall consider at least the following factors:

3 (a) The likelihood that the applicant will sell fortified wine to
4 persons who are intoxicated;

5 (b) Law enforcement problems in the vicinity of the applicant's
6 establishment that may arise from persons purchasing fortified wine at
7 the establishment; and

8 (c) Whether the sale of fortified wine would be detrimental to or
9 inconsistent with a government-operated or funded alcohol treatment or
10 detoxification program in the area.

11 If the board receives no evidence or objection that the sale of
12 fortified wine would be against the public interest, it shall issue or
13 renew the license without restriction, as applicable. The burden of
14 establishing that the sale of fortified wine by the licensee would be
15 against the public interest is on those persons objecting.

16 (3) The board shall issue a class F license to a club as defined in
17 RCW 66.04.010 that does not serve the general public but, through
18 membership qualification, selectively restricts admission to the
19 business, for the purposes of selling wine produced in the state of
20 Washington with the club's own private label to club members for
21 consumption off the club premises, limited to three cases per year per
22 member. A class F license issued to a club may be held by the club in
23 conjunction with a class H license.

24 (4) Licensees under this section whose business is primarily the
25 sale of wine at retail may provide, free or for a charge, single-
26 serving samples of two ounces or less to customers for the purpose of
27 sales promotion.

28 **Sec. 2.** RCW 66.24.450 and 1981 1st ex.s. c 5 s 18 are each amended
29 to read as follows:

30 No club shall be entitled to a class F or H license:

31 (1) Unless such club has been in continuous operation for at least
32 one year immediately prior to the date of its application for such
33 license;

34 (2) Unless the club premises be constructed and equipped,
35 conducted, managed, and operated to the satisfaction of the board and
36 in accordance with this title and the regulations made thereunder;

37 (3) Unless the board shall have determined pursuant to any
38 regulations made by it with respect to clubs, that such club is a bona

1 fide club; it being the intent of this section that license shall not
2 be granted to a club which is, or has been, primarily formed or
3 activated to obtain a license to sell liquor, but solely to a bona fide
4 club, where the sale of liquor is incidental to the main purposes of
5 the club, as defined in RCW 66.04.010(5).

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